

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

RUSSELL E. GARNER,)	
)	
PLAINTIFF,)	
)	
VS.)	CIVIL CASE NO.: 01:06cv781-MHT
)	
PROGRESSIVE DIRECT INSURANCE)	
COMPANY,)	
)	
DEFENDANT.)	

MOTION FOR LEAVE TO CONDUCT DISCOVERY PAST DISCOVERY CUTOFF DATE

COMES NOW, Plaintiff Russell E. Garner, by and through his undersigned attorney, David W. Rousseau, and moves this Honorable Court for permission to take one additional deposition past the March 12, 2007 discovery cutoff date. In support of this motion, the plaintiff would show unto the Court that the earliest the doctor could schedule a deposition is March 20, 2007, and that other than this deposition all other depositions will have been taken prior to the discovery cutoff date.

Wherefore, the undersigned respectfully requests this Court's authorization to take Dr. J. Ryan Conner's deposition on March 20, 2007.

s/David W. Rousseau
David W. Rousseau (ROU007)
Attorney for Plaintiff
211 W. Adams Street
Dothan, Alabama 36303
(334) 699-9000

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the above and foregoing by placing a copy of the same in the U.S. Mail, postage prepaid, and properly addressed this the 5th day of March, 2007, upon the following.

Jeff Hunter
Nix, Holtsford, Gilliland,
Higgins & Hitson, P.C.
P.O. Box 4128
Montgomery, AL 36103

s/David W. Rousseau
David W. Rousseau